

REMARKS

Claims 1-30 are pending in the application.

Applicant wishes to thank the Examiner for conducting a telephone interview with Applicant's representative on April 20, 2005.

During the Interview, the rejection of claims 19-21, 23-25 and 30 under 35 USC 102(b) as being anticipated by Yoshida was discussed. In particular, Applicant addressed the limitation of reading the optical pattern formed in step 1. Applicant pointed out that while Yoshida may disclose forming an optical pattern, it does not disclose reading the optical pattern which has been formed.

The Examiner stated that Yoshida teaches reading an optical pattern because it discloses reading image data recorded on an optical disk. Applicant stated that claim 19 recites that an optical pattern is formed in step 1 and then the optical pattern formed in step 1 is read in step 2. Applicant pointed out that it would not be possible for the reading of the optical disk to correspond to step 2 of claim 19 since the Examiner has already stated that step 1 is met by the disclosure (in Yoshida) of emitting patterns from the LED chips shown in Fig. 5 of Yoshida. It would be impossible for the optical disk to contain the pattern emitted from the LED chips in Fig. 5, and that is now how Yoshida works.

Alternatively, the Examiner stated that the photosensor 228 reads the optical pattern formed by the LED chips shown in Fig. 5 of Yoshida, and thus photosensor 228 corresponds to the claimed second step. Applicant pointed out that photosensor 228 merely detects the quantity of light emitted from LED chip 208 but does not actually read an optical pattern formed by the LED chips.

The Examiner indicated that she would reconsider the outstanding rejection after Applicant filed a response to the outstanding Action.

Again, Applicant thanks the Examiner for conducting the interview.

In response to the Examiner's comment that Applicant has failed to provide a visual representation of the LEDs and the plurality of light emissions, and thus the Examiner is unable to compare the prior art reference to Yoshida to Applicant's drawing because no drawing shows the specific arrangement of LEDs, Applicant submits that the specific arrangement of LEDs is

immaterial to understanding the claimed invention. It is well known in the art that LEDs can form an optical pattern, and the arrangement of the LEDs is not relevant, and therefore does not need to be specifically shown in a drawing.

Claims 19-21, 23-25 and 30 are rejected under 35 USC 102(b) as being anticipated by Yoshida, U.S. Patent No. 6,104,509. This rejection is respectfully traversed.

The Examiner asserts that step 2 of claim 19 is disclosed in Yoshida at col. 7, lines 26-29. This portion of Yoshida refers to the reading of the optical disk. As discussed above, reading the optical disk does not come after the step of forming an optical pattern, and the optical disk does not even contain the optical pattern, and thus it would be impossible to read the optical pattern formed in step 1 from the optical disk. Thus, the features of claim 19 are not taught or suggested by Yoshida.

Claim 23 recites substantially the same features as recited in claim 19, and is allowable for the same reasons.

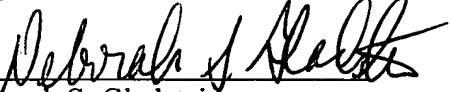
The remaining claims are allowable at least due to their respective dependencies. Applicant respectfully requests that this rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772021800.

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Respectfully submitted,

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